

E-filing

COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §§ 1983

Name HEALY JOHN H
 (Last) (First) (Initial)

Prisoner Number 2329447

Institutional Address SF Co Jail 850 BRYANT ST
San Francisco, CALIF 94103-4608

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

John Harvey Healy
 (Enter the full name of plaintiff in this action.)

vs.

Calif. Dept. of Corrections
San Quentin State Prison
State of California

(Enter the full name of the defendant(s) in this action))

CV 07

Case No. 6190
 (To be provided by the clerk of court)

**COMPLAINT UNDER THE
 CIVIL RIGHTS ACT,
 42 U.S.C §§ 1983**

(PR)

[All questions on this complaint form must be answered in order for your action to proceed..]

I. Exhaustion of Administrative Remedies

[**Note:** You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement San Francisco Co Jail
 B. Is there a grievance procedure in this institution? (took place @ SQ State Prison)

YES (X) NO ()

C. Did you present the facts in your complaint for review through the grievance procedure?

YES () NO (X)

D. If your answer is YES, list the appeal number and the date and result of the

COMPLAINT

1 appeal at each level of review. If you did not pursue a certain level of appeal,
2 explain why.

3 1. Informal appeal May / June 2007, Answer stated
4 that they were processing me & as soon as process
5 was finished I would be released & that at this 2. First
6 formal level point there was nothing on me. They were looking
7 for my file. I was told it was granted.

8
9 3. Second formal level _____
10
11 _____ 4 Third
12 formal level _____
13
14 _____

15 E. Is the last level to which you appealed the highest level of appeal available to
16 you?

17 YES () NO ☒

18 F. If you did not present your claim for review through the grievance procedure,
19 explain why. I was told personally by C/O's & Lt's that by the time I sent
20 it in I got an answer. I'd be released. Also 602 appeal Answer told me there was
21 nothing else that could be done & that they'd approve it & I'd be out in a few days.
22 Sgt Evans & Lt Munoz had seen my appeal. Munoz had physical possession of it
II. Parties & was on it.

23 A. Write your name and your present address. Do the same for additional plaintiffs,
24 if any.

25 John H. Healy 2329447
26 850 BRYANT ST
27 San Francisco, Calif 94103-4603

28 B. Write the full name of each defendant, his or her official position, and his or her

place of employment.

Records Dept. San Quentin State Prison, Calif Dept of Correction
of the State of California

III.

Statement of Claim

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

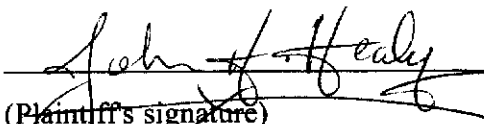
~~I was~~ I was doing a 9 w/2 ^{state} parole viol. while @ S.F. Co Jail. My parole viol. was up in mid-May two days before I was still transferred to San Quentin State Prison. I had previously written Calif Dept Corr / Records Analyst & Legal Dept & received a statement that my discharge date was April 2002 on OBIS computer but that it had not been updated yet to add my absconing time. With that added I would discharge all parole & state commitments on June 2nd or June 9th 2002. OBIS the state of Calif claims is always up to date on every inmate. I arrived @ SDSP on a Wed. in mid May 2 days after release date & 3 wks before discharge date. I wrote 2 - 602 appeals & was approved though I still was not released. Sgt King, Sgt ~~Evans~~ & especially Lt Munoz read the ^{statement} I had from Sacramento & made calls & Records said yes I was now (Now June 2002) past my release date & past my discharge date but couldn't locate any record of me. All through ~~the~~ approx May 21st thru June 19th (10 to 17 days past discharge) the Lt & Sgts. tried to get me out. Lt Munoz walked my paperwork thru & still no release even though they admitted & were aware I was not only past my release date but eventually my discharge date as well as this IV. Relief all took place, I was still being held. I was held against my will 10 days past my complete discharge of parole. And 30 (plus) days past my release.

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

monetary - Money for each ^{held} day past discharge date.

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7 I declare under penalty of perjury that the foregoing is true and correct.

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9 Signed this 16th day of November, 20 07

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12 (Plaintiff's signature)
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RECEIVED

DEC 5 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO SHERIFFS DEPARTMENT
PRISONER LEGAL SERVICES
555 SEVENTH STREET, 2ND FLOOR
SAN FRANCISCO, CA 94103

US Dist Court
450 Golden Gate
SF CA 94102